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PATENTS

Attorney Docket No. 25658-0002

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Derek P. Freyberg
Derek P. Freyberg, Reg. No. 29,250

6/17/03
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Terrence R. Green et al.

: Confirmation No. 7579

App. No.: 09/336,392

: Art Unit: 1616

Filed: June 18, 1999

: Examiner: Frank I. Choi

For: Medical device having anti-infective and contraceptive properties

Mailstop RCE

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

Sir:

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REQUEST FOR CONTINUED EXAMINATION

This is a request for continued examination under 37 CFR 1.114 of the above application.

The submission required under 37 CFR 1.114 is enclosed herewith, totaling, with this Request, 8 pages.

The fees of \$785 (RCE fee of \$375, and the fee for three months' extension of the period for response to the Office Action of December 18, 2002, less the fee for one month's extension already paid with the Response to Office Action mailed April 18, 2003, of \$410 (both as a small entity)), and any additional fees that may be required, are authorized to be charged to Deposit Account No. 08-1641 referencing attorney docket no. 25658-0002.

App. No. 09/336,392

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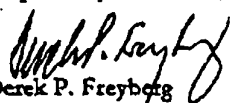
Accordingly, Montgomery et al in view of Karns do not make claims 61, 62, 64 - 69, 73 - 76, 99 - 104, and 109-111 unpatentable, and withdrawal of the rejection is requested.

Further, allowance of the nonelected claims is also requested as they are all properly dependent on allowable claim 61.

Conclusion

For the reasons given above, Applicants submit that claims 61, 62, 64 - 69, 73 - 76, 99 - 104, and 109-112 are not unpatentable over Montgomery et al in view of Karns. Entry of the amendment, and re-examination and allowance of the claims (including the non-elected claims) are respectfully requested.

Respectfully submitted,


Derek P. Freyberg
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